

## **REMARKS**

### **I. INTRODUCTION**

Claims 1-6, 8, 12, 14 and 16 have been amended. Claims 7, 13, 15, and 17-19 were previously withdrawn from consideration. Claim 20 has been cancelled. Support for the claim amendments can be found at ¶¶ [005] and [029] of the originally filed application. Thus, claims 1-19 remain pending in the present application. No new matter has been added. In light of the above amendments and the following remarks, Applicants respectfully submit that all presently pending claims are in condition for allowance.

### **II. THE 35 U.S.C. § 102(e) REJECTION SHOULD BE WITHDRAWN**

Claims 1-6, 12, 14, 16, and 20 stand rejected under 35 U.S.C. § 102(e) as anticipated by Kirejczyk (U.S. Patent No. 7,424,788). Claim 20 has been cancelled.

Claim 1, as amended, recites, “[a] window lift system, comprising: a pulling device including one upwardly pulling end and one downwardly pulling end; only a single catch for a window pane, *the catch being moved up and down by the pulling device and being connected to the pulling device only by the one upwardly pulling end and the one downwardly pulling end*, the catch having (i) a first fastening point for the upwardly pulling end of the pulling device and (ii) a second fastening point for the downwardly pulling end of the pulling device, *the second fastening point being horizontally off-set from the first fastening point in the window pane plane for transferring, by means of the upwardly pulling end and the downwardly pulling end, torque to the window pane suitable for pressing the window pane against a guide edge independently of a direction of movement of the window pane when the window pane is fitted*; and a positioning arrangement positioning and fixing the catch in respect of at least three degrees of freedom such that the catch is kept in a position defined in respect of said degrees of freedom even when the window pane is not fitted, *wherein the positioning arrangement does not prevent the pulling device from transferring the torque to the window pane when the window pane is lifted.*”

Kirejczyk discloses a cable window regulator that includes a carrier panel (202) securable to a door. (See Kirejczyk, Abstract). A window pane is placed in a lift plate (242) which moves the window up and down. (*Id.* at col. 5, ll. 5-7, Fig. 11). Kirejczyk disclosed four different points at which the cables (224, 244, 246) are attached to the lift plate (242) to move it up or down. (*Id.* at col. 5, ll. 25-34, Fig. 11).

In contrast, claim 1 recites “*the catch...being connected to the pulling device only by the one upwardly pulling end and the one downwardly pulling end.*” According to Kirejczyk, the cable (224) is attached to the upper right corner of the lift plate, cable 244 is attached to the lower left corner of the lift plate (242), and cable the (246) is attached to the lower right and upper left corners of the lift plate (242). (*Id.*). So, the lift plate of Kirejczyk has two upwardly pulling ends and two downwardly pulling ends. The arrangement recited in claim 1 applies a torque “*to the window pane suitable for pressing the window pane against a guide edge independently of a direction of movement of the window pane when the window pane is fitted.*” Because of the four connections disclosed by Kirejczyk, such a torque cannot be exerted on the window (204).

Furthermore, the Examiner states that because the drive assembly (222) is only attached to the cables, which are only attached to the lift plate (242). (See 12/1/10 Office Action, p. 3). Applicants respectfully disagree and direct the Examiner’s attention to Kirejczyk’s disclosure that “[t]he cable drum 216 is drivingly mounted on a drive assembly 222 *mounted on the reverse side of the carrier panel 202.*” (See Kirejczyk, col. 4, l. 67 – col. 5, l. 1). Since the Examiner equates that drive assembly (222) to the recited pulling device, the Examiner’s interpretation of Kirejczyk is clearly flawed because Kirejczyk discloses the opposite of what the Examiner asserts. Also, Kirejczyk is silent regarding the degrees of freedom of the lifting plate (242) when the window (204) is not fitted. Therefore, Kirejczyk could not possibly disclose or suggest “a positioning arrangement positioning and fixing the catch in respect of at least three degrees of freedom such that the catch is kept in a position defined in respect of said degrees of freedom *even when the window pane is not fitted,*” as recited in claim 1.

Accordingly, it is therefore respectfully submitted that Kirejczyk fails to teach or suggest *“the catch being moved up and down by the pulling device and being connected to the pulling device only by the one upwardly pulling end and the one downwardly pulling end, the catch having (i) a first fastening point for the upwardly pulling end of the pulling device and (ii) a second fastening point for the downwardly pulling end of the pulling device, the second fastening point being horizontally off-set from the first fastening point in the window pane plane for transferring, by means of the upwardly pulling end and the downwardly pulling end, torque to the window pane suitable for pressing the window pane against a guide edge independently of a direction of movement of the window pane when the window pane is fitted; and a positioning arrangement positioning and fixing the catch in respect of at least three degrees of freedom such that the catch is kept in a position defined in respect of said degrees of freedom even when the window pane is not fitted, wherein the positioning arrangement does not prevent the pulling device from transferring the torque to the window pane when the window pane is lifted,”* as recited in amended claim 1. Therefore, Applicants respectfully request the withdrawal of the 35 U.S.C. § 102(e) rejection of claim 1 and its dependent claims 2-6, 12, 14, 16.

### **III. THE 35 U.S.C. § 103(a) REJECTION SHOULD BE WITHDRAWN**

Claims 8-11 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Kirejczyk in view of Thomas (U.S. Patent No. 5,992,099).

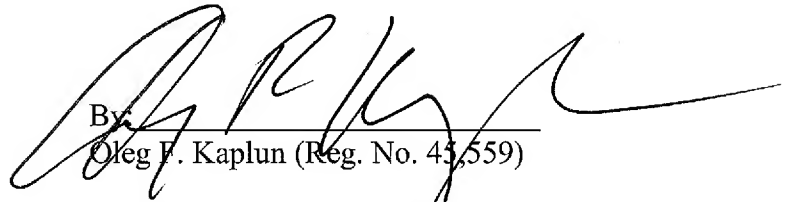
Applicants respectfully submit that Thomas fails to cure the above-identified deficiencies of Kirejczyk and that Kirejczyk and Thomas, alone or together, fail to disclose the above-cited recitation of claim 1. Because claims 8-11 depend on and, therefore, contain all of the limitations of claim 1, the withdrawal of the 35 U.S.C. § 103(a) rejection of claims 8-11 is respectfully requested.

**CONCLUSION**

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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